



House of Representatives

File No. 464

General Assembly

February Session, 2002

(Reprint of File No. 183)

House Bill No. 5076
As Amended by House
Amendment Schedule "A"

Approved by the Legislative Commissioner
April 12, 2002

AN ACT CONCERNING COSTS ASSOCIATED WITH QUARANTINED ANIMALS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22-333 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2002*):

3 Any dog, cat or other animal captured or impounded under the
4 provisions of this chapter shall be redeemed by the owner or keeper
5 thereof, or the agent of such owner or keeper, upon proper
6 identification, and presentation to the municipal animal control officer
7 of a license and tag for such dog, and upon the payment by such
8 owner or keeper or his agent of (1) the redemption fee established by
9 the municipality, which shall not exceed fifteen dollars, and (2) the cost
10 of advertising incurred under the provisions of section 22-332;
11 provided no dog, cat or other animal seized for doing damage under
12 the provisions of section 22-355, as amended, shall be released except
13 upon written order of the commissioner, the Chief Animal Control
14 Officer or an animal control officer. When the owner or keeper of any
15 such impounded dog, cat or other animal fails to redeem such dog, cat

16 or other animal within twenty-four hours after receiving notification to
17 do so, or, where the owner was unknown, within twenty-four hours
18 after notification was effected by means of publication in a newspaper,
19 such owner or keeper shall pay, in addition to such redemption fee
20 and the cost of advertising, the amount determined by the
21 municipality to be the full cost of detention and care of such
22 impounded dog, cat or other animal. The owner or keeper of any dog,
23 cat or other animal impounded for the purposes of quarantine, as set
24 forth in sections 22-358 and 22-359, shall pay the amount determined
25 by the municipality to be the full cost of detention and care of such
26 quarantined animal. In addition, any owner or keeper of any such
27 impounded dog, cat or other animal who fails to redeem such dog, cat
28 or other animal within one hundred and twenty hours after receiving
29 notification to do so shall have committed an infraction. The legislative
30 body of the municipality shall set any fees imposed by the
31 municipality under this section.

32 Sec. 2. Subsection (c) of section 22-358 of the general statutes is
33 repealed and the following is substituted in lieu thereof (*Effective July*
34 *1, 2002*):

35 (c) If such officer finds that the complainant has been bitten or
36 attacked by such dog, cat or other animal when the complainant was
37 not upon the premises of the owner or keeper of such dog, cat or other
38 animal the officer shall quarantine such dog, cat or other animal in a
39 public pound or order the owner or keeper to quarantine it in a
40 veterinary hospital, kennel or other building or enclosure approved by
41 the commissioner for such purpose. When any dog, cat or other animal
42 has bitten a person on the premises of the owner or keeper of such
43 dog, cat or other animal, the Chief Animal Control Officer, any animal
44 control officer, any municipal animal control officer or regional animal
45 control officer may quarantine such dog, cat or other animal on the
46 premises of the owner or keeper of such dog, cat or other animal. The
47 commissioner, the Chief Animal Control Officer, any animal control
48 officer, any municipal animal control officer or any regional animal
49 control officer may make any order concerning the restraint or

50 disposal of any biting dog, cat or other animal as the commissioner or
51 such officer deems necessary. Notice of any such order shall be given
52 to the person bitten by such dog, cat or other animal within twenty-
53 four hours. The owner [shall pay five dollars per day for the board of
54 any such dog, cat or other] of such animal [while it is quarantined in a
55 public pound in addition to any other legal fees that may be due.] shall
56 pay all fees as set forth in section 22-333, as amended by this act. On
57 the fourteenth day of such quarantine the dog, cat or other animal shall
58 be examined by the commissioner or someone designated by the
59 commissioner to determine whether such quarantine shall be
60 continued or removed. Whenever any quarantine is ordered under the
61 provisions of this section, notice thereof shall be given to the
62 commissioner and to the person bitten or attacked by such dog, cat or
63 other animal within twenty-four hours. Any owner or keeper of such
64 dog, cat or other animal who fails to comply with such order shall be
65 fined not more than two hundred fifty dollars or imprisoned not more
66 than thirty days or both. If an owner or keeper fails to comply with a
67 quarantine or restraining order made pursuant to this subsection, the
68 Chief Animal Control Officer, any animal control officer, any
69 municipal animal control officer or regional animal control officer may
70 seize the dog, cat or other animal to insure such compliance and the
71 owner or keeper shall be responsible for any expenses resulting from
72 such seizure. Any person aggrieved by an order of any municipal
73 animal control officer, the Chief Animal Control Officer, any animal
74 control officer or any regional animal control officer may request a
75 hearing before the commissioner within fourteen days of the issuance
76 of such order. After such hearing, the commissioner may affirm,
77 modify or revoke such order as the commissioner deems proper. Any
78 dog owned by a police agency of the state or any of its political
79 subdivisions is exempt from the provisions of this subsection when
80 such dog is under the direct supervision, care and control of an
81 assigned police officer, has been vaccinated annually and is subject to
82 routine veterinary care.

This act shall take effect as follows:	
Section 1	<i>July 1, 2002</i>
Sec. 2	<i>July 1, 2002</i>

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Fund-Type	Agency Affected	FY 03 \$	FY 04 \$
GF - Revenue Gain	Department of Agriculture; Judicial	Minimal	Minimal

Note: GF=General Fund

Municipal Impact:

Effect	Municipalities	FY 03 \$	FY 04 \$
Revenue Gain-Special Fund	All Municipalities	See Below	See Below

Explanation

Requiring that all animal owners, not just dog owners, have the same duties that dog owners have in retrieving their captured or impounded pets, will increase revenue to municipal dog funds. The exact impact will vary from town to town, but overall is anticipated to be minimal. This is due to requiring animal owners to pay the \$15 maximum redemption fee, the costs of advertising, the full cost of detention and care if they fail to redeem an animal within 24 hours of receiving notice and be subject to an infraction for violation of the laws. Replacing the \$5 fee that animal owners must pay when their animals are quarantined with the fee structure for captured or impounded animals as determined by municipalities is anticipated to increase revenue to the dog funds by approximately \$5 to \$15 per animal per day depending upon the size and type of animal.

Based on past offenses committed, the expansion of the law is anticipated to minimally increase revenue to the state General Fund. Total fines, fees and surcharges under Sec. 22-333, CGS was \$240 in FY 01.

House "A" clarifies provisions in the underlying bill and does not change the fiscal impact.

OLR Amended Bill Analysis

HB 5076 (as amended by House "A")*

AN ACT CONCERNING COSTS ASSOCIATED WITH QUARANTINED ANIMALS**SUMMARY:**

This bill imposes on all animal owners the same duty dog owners currently have to redeem their captured or impounded pets. Specifically, these animal owners:

1. must submit proper identification and pay a fee of up to \$15 plus any advertising costs to the municipal animal control officer before redeeming the animal;
2. must pay the full cost of detention and care plus the above stated costs if they fail to redeem their animal within 24 hours of receiving notice from the animal control officer or, for unknown owners, after the officer has a notice published in the newspaper;
3. commit an infraction if they do not redeem their animal within 120 hours (five days) of the date they receive notice; and
4. are prohibited from retrieving an animal that bit a person without first obtaining written consent from the agriculture commissioner, or chief animal control officer, or an animal control officer.

The bill also (1) replaces the \$5 per day fee that animal owners must pay when their animals are quarantined in a public pound for biting or attacking someone else with the fee structure for captured or impounded animals and (2) mandates that animal owners must pay all costs of care and detention for animals quarantined for rabies or biting.

*House Amendment "A" specifies that an owner must pay the full cost of detention and care when his animal is quarantined for biting or rabies.

EFFECTIVE DATE: July 1, 2002

BACKGROUND

Legislative History

On April 2 the House referred the bill to the Planning and Development Committee, which reported it with no changes.

COMMITTEE ACTION

Environment Committee

Joint Favorable Report

Yea 27 Nay 0

Planning and Development Committee

Joint Favorable Report

Yea 14 Nay 0